

In the Court of Appeals of the State of Alaska

Newton Lindoff,

Appellant,

v.

State of Alaska,

Appellee.

Court of Appeals No. **A-13681**

Order

Date of Order: **9/28/2020**

Trial Court Case No. **1JU-08-00092CR**

This is an appeal from the superior court's denial of the Appellant's motion to stay certain conditions of his probation. Newton Lindoff, representing himself, has requested that an attorney be appointed at public expense to represent him in this appeal. Mr. Lindoff also requests an extension of time to file his opening brief.

Accordingly, **IT IS ORDERED:**

1. This case is **REMANDED** to the superior court for a hearing to determine if Mr. Lindoff is eligible for the assistance of counsel at public expense.
2. If the superior court finds that Mr. Lindoff is eligible for the assistance of counsel at public expense, the superior court shall make an appropriate appointment and shall direct the new attorney to promptly file an entry of appearance in this Court.
3. If the superior court concludes that Mr. Lindoff is not eligible for the appointment of counsel at public expense, the superior court shall notify this Court of this finding.
4. The superior court's report on this matter shall be provided to this Court on or before **October 20, 2020**. This deadline can be extended by the superior court for good cause conditioned upon notice to this Court.

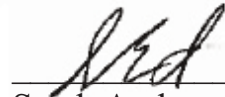
Lindoff v. State - p. 2
File No. A-13681
September 28, 2020

5. In remanding this case, this Court acknowledges that under the current limitations imposed because of the COVID-19 public health crisis, this hearing should be done telephonically if possible. If the hearing cannot be done telephonically, then the superior court shall inform this Court of this circumstance as soon as possible.

6. The due date for the Appellant's opening brief is **VACATED**, and the brief shall be due 30 days after the superior court issues its report.

Entered under the authority of Chief Judge Allard.

Clerk of the Appellate Courts



Sarah Anderson, Deputy Clerk

cc: Judge Pallenberg
Trial Court Clerk

Distribution:

Mail:
Lindoff, Newton

Email:
Wendlandt, Diane L.